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Attorney for Defendant Susan Cope

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,	)	
	)	2:15-cr-00266-APG-VCF-3
Plaintiff,	)	
	)	
v.	)	<b><u>STIPULATION TO CONTINUE</u></b>
	)	<b><u>MOTIONS DEADLINE ONLY</u></b>
SUSAN COPE,	)	(Twelfth Request)
	)	
Defendant.	)	

IT IS HEREBY STIPULATED by and between Jason M. Frierson, United States Attorney, as well as Jean N. Ripley, Assistant United States Attorney, Counsel for the United States of America; and Angela H. Dows, Esq., counsel for Defendant SUSAN COPE, that the pretrial motions and notices of defense deadline, currently set for November 28, 2022 be continued to December 2, 2022.

This is the twelfth overall request for a continuance in this case, and the fifth overall request by instant counsel for Defendant SUSAN COPE. One or more prior requests by instant counsel were for a continuance of the motions/notices of defense deadline only. This Stipulation is entered into based upon the following:

1. In August of 2022, Defendant Susan Cope filed and later withdrew a motion for determination of her mental competency, with the potential to re-raise said motion

1 depending upon the results of an evaluation of the client, if conferred. (*See* ECF  
2 No. 330.)

3 2. In October of 2022, defense counsel submitted file documents to the approved  
4 psychologist expert for review, without revealing the communications and/or  
5 basis for hiring the expert.

6 3. On November 15 and 16, 2022, the Defendant was evaluated by the psychologist,  
7 with several tests conducted.

8 4. The decision of whether to proceed to trial is that of the Defendant, which as  
9 asserted by Defense counsel require additional levels of conferring in this case  
10 due to one or more underlying medical conditions that exist with Defendant Susan  
11 Cope.

12 5. The instant stipulation does not request a continuance of calendar call and trial  
13 dates.

14 6. That counsel for Defendant has conferred with her client, who is out of custody  
15 and, moreover, does not object to the requested continuance.

16 7. That the additional time requested herein is not sought for purposes of delay, but  
17 merely to allow the parties sufficient time by which to investigate, research,  
18 respond and litigate any pretrial motions and/or defenses deemed necessary prior  
19 to trial.

20 8. The additional time requested by this stipulation does not request an extension of  
21 the time of trial. To the extent applicable, the period requested to continue the  
22 matter serves the ends of justice and outweighs the best interest of the public and  
23 the defendant in a speedy trial pursuant to the Speedy Trial Act, specifically 18  
24 U.S.C. § 3161(h)(7)(A) and (h)(7)(B).  
25  
26  
27  
28

1           9.     Pursuant to 18 U.S.C. § 3161(h)(7)(B)(i) and (ii) denial of this request for  
2                 continuance would result in a miscarriage of justice, as additional time is needed  
3                 by which to effectively and thoroughly research and prepare for trial within the  
4                 time limits established by 18 U.S.C. §3161, taking into account the exercise of  
5                 due diligence.

6           10.    For all the above-stated reasons, the ends of justice would best be served by a  
7                 brief continuance of the pretrial motions and notices of defense deadline.

8                 DATED this 28th day of November, 2022.

9  
10          JASON M. FRIERSON  
11          United States Attorney  
12          By: /s/ Jean N. Ripley  
13          JEAN N. RIPLEY  
14          Assistant United States Attorney  
15          Counsel for Plaintiff

            CORY READE DOWS & SHAFER  
            By: /s/ Angela H. Dows  
            ANGELA H. DOWS, ESQ.  
            Appointed Counsel for Defendant  
            Susan Cope

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,	)	
	)	2:15-cr-00266-APG-VCF-3
Plaintiff,	)	
	)	
v.	)	<b><u>FINDINGS OF FACT,</u></b>
	)	<b><u>CONCLUSIONS OF LAW, AND</u></b>
SUSAN COPE,	)	<b><u>ORDER THEREON</u></b>
	)	
Defendant.	)	
_____	)	

**FINDINGS OF FACT**

Based on the pending Stipulation of the parties, and good cause appearing therefore, the Court finds that:

1. Defense counsel requires a continuance of the motions and notices of defense deadline in order to review and research the case in light of recent issues that have arisen as to Defendant Susan Cope's competency and/or mental health.

2. The parties also request additional time to effectively represent their clients in appropriately preparing the case for trial, and thus request an extension of the trial date and related calendar call date.

3. Defendant is out of custody, and does not object to the continuance.

**CONCLUSIONS OF LAW**

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2  
3           1.       The additional time requested by this stipulation does not extend the time of trial.  
4       The period was previously found excludable in computing the time within which the trial herein  
5       must commence pursuant to the Speedy Trial Act, specifically 18 U.S.C. § 3161(h)(7)(A) and  
6       (h)(7)(B).

7  
8           2.       Denial of this request for continuance would result in a miscarriage of justice, as  
9       additional time is needed by which to review the case, in a case involving charges of Conspiracy  
10      to Distribute a Controlled Substance (Oxycodone) pursuant to 21 U.S.C. § 846.

11          3.       Denial of this request for continuance would also deny the parties herein  
12      sufficient time and the opportunity within which to effectively and thoroughly research and  
13      prepare for trial within the time limits established by 18 U.S.C. §3161, taking into account the  
14      exercise of due diligence. For the above-stated reasons, the ends of justice would best be served  
15      by a continuance, and such continuance outweighs the best interests of the public and the  
16      defendants in a speedy trial.  
17

**ORDER**

18  
19           IT IS THEREFORE ORDERED that the parties shall have to and including December 2,  
20      2022 within which to file any and all pretrial motions and notices of defense.

21           IT IS SO ORDERED.  
22

23  
24  
25      Dated: November 29, 2022.

  
UNITED STATES DISTRICT JUDGE